

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court  
Southern District of Texas  
FILED

AUG 19 2019

United States of America

v.

Pao Her (1989/USA)

David J. Bradley, Clerk

Case No. *M-19-1947-M**Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 18, 2019 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

21 USC § 952

Illegal Importation of a Controlled Substance / Approximately 25.7 Kilograms of Methamphetamine, a Schedule II Controlled Substance and approximately 9.32 Kilograms of Heroin, a Schedule I Controlled Substance.

21 USC § 963

Conspiracy to Illegally Import a Controlled Substance / Approximately 25.7 Kilograms of Methamphetamine a Schedule II Controlled Substance and approximately 9.32 Kilograms of Heroin, a Schedule I Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.*Approved by*  
*[Signature]**[Signature]**Complainant's signature*

Brett Halleman, HSI Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 08/19/2019 *8:08 am**[Signature]**Judge's signature*City and state: McAllen, Texas

U.S. Magistrate Judge Peter Ormsby

*Printed name and title*

**Attachment "A"**

I, Brett Halleman, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On August 18, 2019, Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection (CBP) Office of Field Operations at the Hidalgo Port of Entry (POE) in Hidalgo, Texas. CBP Officers (CBPOs) detained Pao HER (hereafter HER), a citizen of the United States, while attempting to enter the U.S. with approximately 25.7 kilograms of methamphetamine and 9.32 kilograms of heroin concealed within a children's playset in the back of the vehicle HER was driving.
2. During primary inbound inspection, CBPOs obtained a negative oral declaration for fruits, food, alcohol, tobacco, drugs, weapons and currency over \$10,000.00. HER claimed to be traveling from Reynosa, Tamaulipas, Mexico where he picked up the playset. CBPOs referred HER and the vehicle to secondary inspection for an intensive examination.
3. During secondary inspection, a CBP K-9 drug detection team conducted a free air inspection which resulted in a positive alert for the odor of controlled substance(s) emanating from the vehicle.
4. CBPOs conducted a non-intrusive X-Ray inspection and discovered anomalies in the playset.
5. A physical search of the vehicle revealed a playset with a total of nine (9) fiberglass pieces of the playset. CBPOs probed the fiberglass pieces revealing a powdery substance. CBPOs field tested the substance inside the fiberglass pieces, with a presumptive positive result for the properties and characteristics of methamphetamine in five (5) of the pieces and heroin in four (4) of the pieces. CBPOs weighed the five (5) pieces of suspected methamphetamine, which weighed approximately 25.7 kilograms on a calibrated scale and weighed the four (4) pieces of suspected heroin which weighed approximately 9.32 kilograms on a calibrated scale.
6. HSI Special Agents responded to the Hidalgo POE to assist in the investigation. HSI Special Agents interviewed HER, who stated he suspected he was transporting drugs into the United States and was paid for the smuggling event.